

UNITED STATES OF AMERICA, )  
)  
Plaintiff, ) Case No. 3:93CR00010  
)  
v. ) **OPINION**  
)  
OBED HOYTE, ) By: James P. Jones  
) Chief United States District Judge  
Defendant. )

Obed Hoyte, a federal inmate proceeding pro se, has filed a letter seeking to have his sentence reduced, based on recent, but unidentified changes in the sentencing guidelines and his rehabilitation efforts in prison. Because he asserts that his sentence is invalid, the court construed and filed his submission as a Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C.A. § 2255 (West 2006). Upon review of the motion and court records, I find that the § 2255 motion must be dismissed as successive.

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this same conviction and/or sentence, Case No. 7:94CV00158, and other subsequent § 2255 motions as well. Hoyte offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2255 motion. Therefore, while I commend his rehabilitative efforts, I must dismiss his current action without prejudice.<sup>1</sup> A separate Final Order will be entered herewith.

ENTER: November 27, 2007

/s/ JAMES P. JONES  
Chief United States District Judge

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<sup>1</sup> To obtain certification from the Fourth Circuit, the petitioner must submit a copy of the § 2255 motion to the court of appeals, along with a motion requesting certification for the district court to review a successive § 2255 motion. *See* 28 U.S.C.A § 2244 (West 2006). Petitioner may write to request a form and instructions for filing this motion at the following address: Office of the Clerk, United States Court of Appeals for the Fourth Circuit, 900 E. Main St., Richmond, VA 23219.